

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Stephen R. Lawrence et al.
SERIAL NO.: 10/814,952
FILING DATE: March 31, 2004
U.S. PATENT NO.: 7,581,227
ISSUED DATE: August 25, 2009
TITLE: Systems and Methods of Synchronizing Indexes
EXAMINER: KimbleAnn C. Verdi
GROUP ART UNIT: 2194
ATTY. DKT. NO.: 24207-10094

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the Pacific Time Zone of the United States on the local date shown below.

Dated: October 1, 2009

By: /Jie Zhang/

Jie Zhang, Reg. No. 60,242

REQUEST FOR PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. § 1.705(d)

SIR:

This letter is to request a Patent Term Adjustment (PTA) under 37 C.F.R. § 1.705(d). Specifically, in view of *Wyeth v. Dudas*, 580 F. Supp. 2d 138 (D. D.C. 2008), the PTA calculation does not account for the total period of delay under Rules 702(a) and 702(b) (adjusted by any delay accorded to Applicant under Rule 704 and any delay accorded to overlapping days under Rule 703(a) and Rule 703(b)).

The USPTO decision of June 22, 2009 dismissed as premature the previous request for correction of the Patent Term Adjustment (PTA) under Rule 37 C.F.R. § 1.705(b), submitted on June 2, 2009. The reason for dismissing the request as premature was that the patent had not issued, and the issue date would be required to make an accurate determination of the patent